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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,802	03/09/2001	Naomi Go	204272US6	3196

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EXAMINER

SONG, HOSUK

ART UNIT PAPER NUMBER

2135

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/801,802

Applicant(s)

GO ET AL.

Examiner

Hosuk Song

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-7, 11-14, 19-22 and 26-29 is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-10, 15-18, 23-25, 30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09801802.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,3,8,10,15-18,23-25,30 are rejected under 35 U.S.C. 102(b) as being anticipated by Linehan et al(US 5,495,533).

Claim 1: Linehan disclose a reception configured to receive a request message from a terminal, request message identifies a key server and a key associated with predetermined content in (fig.8 and col.5,lines 11-16;col.7,lines 1-14). Linehan disclose a controller configured to control whether to request key from key server based on the request message, so that the key server releases the key for use by the terminal when the controller makes the request in (col.9,lines 42-58).

Claim 3: Linehan disclose predetermined content and key are for use in making contents data available to the terminal in (col.5,lines 10-16).

Claim 8: Linehan disclose receiving a request message from a terminal, request message identifying a key server and a key associated with predetermined content in (fig.8 and col.5,lines 11-16;col.7,lines 1-14);controlling whether to request key from server based on request message and releasing the key from the key server for use by the terminal when the request is made in the controlling step in (col.9,lines 42-58).

Claim 10: Linehan disclose predetermined content and key are for use in making contents data available to the terminal in (col.5,lines 10-16).

Claim 15: Linehan disclose receiving a request message from a terminal, request message identifying a key server and a key associated with predetermined content in (fig.8 and col.5,lines 11-16;col.7,lines 1-14). Linehan disclose controlling whether to request key from server based on request message and releasing the key from the key server for use by the terminal when the request is made in the controlling step in (col.9,lines 42-58).

Claim 16: Linehan disclose a transmission controller configured to control transmission of a transmission request to an information providing unit for data, transmission request identifying a key server and a key associated with predetermined contents in (fig.8 and col.5,lines 11-16;col.7,lines 1-14). Linehan disclose a reception controller configured to control reception of the key from the key server for use by a terminal access predetermined contents in (col.9,lines 42-58).

Claim 17: Linehan disclose the transmission request is sent to an authentication server in (fig.3).

Claim 18: Linehan disclose data and key are for use in making contents data available for use in the terminal in(col.7,lines 6-14).

Claim 23: Linehan disclose controlling transmission of a transmission request to an information providing unit for data, transmission request identifying a key server and a key associated with predetermined contents in (fig.8 and col.5,lines 11-16;col.7,lines 1-14). Linehan disclose controlling reception of the key from the key server for use by a terminal top access predetermined contents in (col.9,lines 42-58).

Claim 24: Linehan disclose controlling transmission includes transmitting the transmission request to an authentication server in (fig.3).

Claim 25: Linehan disclose data and key are for use in making contents data available to the terminal in (col.5,lines 10-16).

Claim 30: Linehan disclose controlling transmission of a transmission request to an information providing unit for data, transmission request identifying a key server and a key associated with predetermined contents in (fig.8 and col.5,lines 11-16;col.7,lines 1-14). Linehan disclose controlling reception of the key from the key server for use by a terminal top access predetermined contents in (col.9,lines 42-58).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linehan et al(US 5,495,533).

Claims 2,9: Linehan does not specifically disclose terminal is a portable device. Examiner takes Official notice that portable device is well known in the art. One of ordinary skill in the art would have been motivated to employ portable device because it offers mobility and convenience for user to perform various data processing from different location by user's discretion.

***Allowable Subject Matter***

3. Claims 4-7,11-14,19-22,26-29 are allowed.

Claims 4,11: Prior art of record does not teach a authenticating a first information processing unit; authenticating second information processing unit and controlling the communication such that a transmission request for key on the basis of data for identifying

Art Unit: 2135

second information processing unit is sent to second information processing unit and information providing apparatus functions as an authentication server having a key management program and a license management program.

Claims 19, 26: Prior art of record does not teach controlling reception of key provided and transmitted to first information processing unit from second information processing unit wherein information providing unit functions as an authentication server having a key management program and a license management program.

Claims 5-7,12-14,20-22,27-29 are allowed because of dependency.

#### ***Response to Amendment***

4. Applicant has amended claims 1-4,8-11,15-19,23-26,30, which necessitated new grounds of rejections. See new rejections above.

#### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***USPTO Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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